



Members:

Kenneth Turner- Chair
Vickie Mullins- Vice Chair
Veronica Mitchell-Rozier
Donald Brooks
Gary Silverman

Alternates:

Kristen Walkinshaw
Brenez Orozco
Joseph Stephens
Jacob Druzak

Tentative AGENDA
November 20, 2025
6:00 PM

A meeting of the Cumberland County Board of Adjustment is to be held on Thursday, November 20, 2025, at 6:00 p.m. in Hearing Room #3 of the Historic Courthouse at 130 Gillespie Street, Fayetteville, North Carolina. The agenda is as follows:

1. INVOCATION & PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. OATH OF OFFICE - NEW BOA APPOINTMENTS
4. SWEAR IN STAFF
5. APPROVAL OF THE AUGUST 21, 2025 AND SEPTEMBER 18, 2025 MINUTES
6. ADJUSTMENTS TO THE AGENDA
7. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)
8. PUBLIC HEARING DEFERRALS/WITHDRAWALS
9. POLICY STATEMENT REGARDING APPEAL PROCESS
10. PUBLIC HEARING(S):
 - A. **BOA-2025-0014:** Ruling by the Board of Adjustment pursuant to Section 1003.C. Nonconforming Uses, County Zoning Ordinance, to consider expansion of a nonconforming Recreational Vehicle Park Use onto three adjacent parcels containing 1.46 +/- acres in an R6A Residential Zoning District, located along the eastern end of Hulon St; submitted by Tom Lloyd (Applicant/Agent) on behalf of Guillermo Romo (Owner).
11. BUSINESS ITEMS
 - A. 2026 BOA MEETING SCHEDULE
12. DISCUSSION/UPDATE(S):
13. ADJOURNMENT



Board of Adjustment

MINUTES
18 September 2025
6:00 PM

Members Present

Kenneth Turner, Chair
Marva Lucas-Moore-Vice Chair
Donald Brooks
Gary Silverman
Veronica Mitchell-Rozer

Absent Members

Brenee Orozco
Jovan Bowser
Vickie Mullins

Staff/Others Present

David Moon
Timothy Doersam
Oswaldo Garcia
Cherice Hill
Jacob Dluzak
Robert Hasty (Asst County Attorney)

Chair Turner called the meeting to order at 6:00 p.m. in Public Hearing Room #3 of the Historic Courthouse.

1. INVOCATION

Jason Arnett (Youth Minister) from Victory Baptist Church gave the invocation

PLEDGE OF ALLEGIANCE

Recited by all.

2. ROLL CALL

Deputy Director David Moon called the roll and made note of the absence of Brenee Orozco, Jovan Bowser and Vickie Mullins. Mr. Moon stated we do have a quorum.

3. RECOGNITION FOR BOARD SERVICE

Deputy Director David Moon recognized and presented a plaque to Marva Lucas-Moore for her service as a member of the Board of Adjustment.

4. SWEAR IN NEW BOA APPOINTMENT

David Moon announced the new appointment of Jacob Dluzak as an alternate member of the Board of Adjustment. Cherice Hill Planning and Inspection notary performed the oath of office for Jacob Dluzak appointment on the Board.

5. SWEAR IN STAFF

Chair Turner swore in staff Mr. David Moon and Mr. Timothy Doersam.

6. ADJUSTMENTS TO AGENDA

There were none.



7. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)

There were none.

8. PUBLIC HEARING DEFERRALS/WITHDRAWALS

There were none.

9. POLICY STATEMENT REGARDING APPEAL PROCESS

Deputy Director Moon read the policy statement.

10. PUBLIC HEARING(S)

Chair Turner opened the public hearing for cases.

BOA-2025-0012: Variance from Section 1104, County Zoning Ordinance, requesting encroachment of an existing dwelling into the side yard setbacks on a parcel containing 0.50 +/- acres; located 156 Bienville Dr; submitted by Pushpa Singh (Owner)

BOA-2025-0013: Variance from Sections 1306.C and 1309.B.6, County Zoning Ordinance, requesting an electronic message sign to exist within a private street right-of-way and within 150 feet of a dwelling unit on a parcel containing 2.70 +/- acres; located at 5984 Brookdale St; submitted by Loretta Lover (Agent) on behalf of Victory Baptist Church Inc (Owner).

Deputy Director Moon: explained the definition and purposes of a variance and the Boards' role and responsibilities when reviewing a variance request. Deputy Director Moon then explained the required vote for approval/denial of the variance with only four members in attendance. Mr. Moon then explained the variance must be addressed under the four criteria and the burden of proof is on the property owner. Additionally, Mr. Moon introduced Mr. Oswaldo Garcia as the new clerk of the Board of Adjustment.

Deputy Director Moon provided the key facts for the variance request for Section 1104 and Section 1605

1. Property owner indicates a need to have a variance for his records and any future owner's records to avoid delays or problems at the time the property is sold to another party and to avoid any cloud on the title.
2. The subject property and structure were surveyed by a licensed surveyor, and the surveyor confirmed an encroachment into the side yard setback by three feet as shown by the surveyor.
3. While the single-family residential dwelling was constructed in 1977, prior to adoption of the current Zoning Ordinance, the property owner seeks an approval from the BOA for the purpose of retaining an official county board action for the record.
4. The nearest structure to the house corner is approximately 48 feet away, exceeding minimum of twenty feet that would be created by implementation of the side yard setback standard on abutting lots.



Board of Adjustment

5. This variance shall only apply to the portion of the existing building that encroaches the side-yard site back line were shown in Exhibit "B". A new variance must be requested for any future expansion that proposes further encroachment into the side yard setback or any other setback.

Tim Doersam, Planner II, on the behalf of the County Planning staff gave a presentation on the requested variances, stating information about the site, County zoning codes that apply to the variance requests, and inconsistencies of the site with the County zoning and development standards.

Donald Brooks: inquired about year of construction of the residence?

Deputy Director Moon: stated that the home was built in 1977.

Donald Brooks: inquired about the existence of any other structures in the area that may have the same issues pertaining to the variance being presented in the area.

Deputy Director Moon: was unaware of other home constructed during that timeframe and that the Current Planning staff has not done any study nor conducted further research to indicate if lots in the neighborhood experience similar circumstances.

Donald Brook: inquired is the stature in place when the home was constructed in 1977.

Deputy Director Moon: stated the zoning ordinance would not have been at that time. The owner of the property Pushpa Singh has indicated that they would like to obtain a variance approval from the board for there record so that when and if they choose to sell the property in question it would cause no delay.

Chair Turner: opened the public hearing.

Chair Turner: swore in Akanksha Singh (daughter of Pushpa Singh property owner)

Ms. Akanksha Singh: indicated she was speaking on behalf of Pushpa Singh who is the property owner and in favor on the variance. She also stated that they are no longer residence of the property in question and are currently in the process of selling the residence and during this process the buyer identified the issue in question which is delaying the selling of the residence.

Gary Silverman: inquired to the length of owner of the residence in question.

Ms. Akanksha Singh: my parent purchased the home in 1986.

Gary Silverman: when was the issue discovered with the property in question?

Ms. Akanksha Singh: It was not discovered until they decided to put the property up for sale.

Chair Turner: There were no more speakers and chair closed the public hearing and opened to board discussion. No further discussion.

Robert Hasty: suggested it be marked and submitted to record as Exhibit G.

Chair Turner: Motion to approve the various for the encroachment of the existing residential dwelling into the southwestern property boundary, side set yard setback as show on the variance site plan, because the four variance criteria are set aside based upon the response by the applicant as well as Exhibit G and the site. The variance applies to what's there now, not what is there later. The variance only applies to the existing encroachment or as for mentioned, any proposed expansion for the existing encroachment further into the side yard setback at the southwesterly property boundary must be approved by the Board of Adjustment through a variance application. The variance group shall expire within one year at the time of application for the first building permit. If the existing residential structure is damaged or demolished, with the damage, you see more than 50% of its reproducible value of its bulk exclusive of foundation.

Gary Silverman seconded the motion. All voted in favor.



Board of Adjustment

Members Vote	In Favor
Kenneth Turner, Chair	YES
Marva Lucas-Moore-Vice Chair	YES
Gary Silverman	YES
Donald Brooks	YES
Vernoica Mitchell-Rozerr	YES

Deputy Director Moon: That concludes case BOA-2025-0012.

BOA-2025-0013: Variance from Sections 1306.C and 1309.B.6, County Zon. Ord., for an electronic message sign to exist within a private street right-of-way and within 150 ft of a dwelling unit; 2.70 +/- acres; 5984 Brookdale St; Loretta Lover (Agent); Victory Baptist Church Inc (Owner).

Timothy Doersam: Introduced himself as a Planner II for the County Planning and Inspection Dept. Mr. Doersam gave a brief overview of the location, zoning, surrounding zoning and the recent land acquisition by the North Carolina Department of Transportation (NC-DOT) from the property in question. The first of two variance is section 1306, C, Signs in the Right-of-Way, which prohibits signs, except for a few select types, from being permitted within a street right-of-way. The second variance section 1309, Subsection B.6, Electronic Message Board, requires all electronic message board signs to meet a minimum separation distance of 150 linear feet from a residential dwelling unit.

Mr. Doersam provided the key facts for the variance request for Section 1306.C, street right of way.

1. A portion of the property abutting Rockfish Rd was acquired by NCDOT as right-of-way to accommodate its roadway expansion project for Rockfish Rd. Removal of the sign was not an action caused by the property owner.
2. The flagpole shape of the subject property that connects to Rockfish Rd limit's available locations to place the new sign within view of travelers along Rockfish Road. Brookdale St's right-of-way easement on the Church's property covers all of the flag lot pole strip.
3. The County Subdivision Ordinance requires a minimum width of thirty feet for a Class "C" street to and the established width is sixty feet, providing sufficient space for a required twenty- foot travel lane and a sign setback.
4. Only four lots currently abut the Class "C" street.
5. Per the applicant, the only location for the electronic message board sign to exist that would adhere to Section 1306.C would place the sign 370 feet from the front property boundary.

Chair Turner: By the "flagpole" you mean the stem?

Timothy Doersam: The stem, the area cross hatched.

Timothy Doersam: This is an image also showing the proposed sign location and that it's approximately to be located 11 feet from the travel lane of Brookdale Street itself.



Board of Adjustment

Donald Brooks: If you can go back to the slide where you had the sign. Now, earlier you mentioned something about the limit in 100 and that was signed in 150 feet from the structure. And the one that the church wants to put up would be 150 up with the building?

Timothy Doersam: yes, sir, that's that'll be variance to address. They'll be addressing variance too.

Donald Brooks: So, this actual proposed location at another church is such as, to my left, right, where you get proposed sign, then to the left at the church.

Timothy Doersam: It's to the south, sir. The if you go down, if you travel south, down the flagpole lot line, that's where the actual church is building, which is located around approximately here, sir.

Donald Brooks: it's 150 feet from the actual the building.

Timothy Doersam: any structure, for any for any dwelling, any dwelling unit, it must be 150 feet away.

Donald Brooks: Okay.

Deputy Director Moon: you'll see more information when we address variance no. two. Right now, Mr. Dorsen is addressing variance number one.

Timothy Doersam: presented the key facts for variance request for Section 1306.B.6.

1. To the west at 6213 Rockfish Rd is a residential dwelling unit that would be approx. 110 ft from the proposed sign location. There is no location near the front of the subject property within the flagpole that would place the sign further than 150 feet from the dwelling unit.
2. The only location for the electronic message board sign to not be within 150 feet of a dwelling to adhere to Section 1309.B.6 would place the sign 370 feet from the front property boundary.
3. Applicant has been in contact with the property owner who has provided a notarized letter, attached, stating that the electronic message board sign would not create a nuisance or any problems near their residence.
4. This variance shall only apply to an electronic message board sign proposed to be installed within 110 linear feet of a dwelling. Any proposed replacement, removal, or relocation of the sign must be applied for and approved by the Board of Adjustment through a variance application.

Gary Silverman: point to the location of where the current sign is.

Timothy Doersam: Certainly, so is right here. You can also kind of see the sign within the imagery here, and it's shadowed just to the north portion of the boundaries.

Donald Brooks: How long has the sign be there?

Timothy Doersam: The sign, according to the applicants, about 2007.

Donald Brook: now you mentioned NC- DOT had not been winding the road, would we be having this conversation?

Timothy Doersam: No Sir.

Gary Silverman: Is there a photo of the desired location, the new desired new location for the sign?

Timonthy Doersam: Yes, we do have some graphics provided by the applicant that we can show the approximate location of the sign for this case, BOA 2025-0013, staff requests that the Board of adjustment address each variance separately, two motions, one for each request. And similarly, as Director Moon to have the board review each of the board criteria for each variance request and to approve, deny or approve the conditions. We also have suggestions for motion language in the back of your packet as well to assist with that motion that. completes my presentation, staff will be happy to assist with addressing any questions, and I can also provide Mr. Silverman some of those images that the applicant provides to us. So, the applicant provided this plan, showing in the red, the black is where it's originally located. The red is showing its new location. The applicant to provide more of a close-up scale also provided this image, also showing where the existing sign is and where they're proposing the new sign seven feet to the south and approximately 14 feet away from the eastly property line.



Board of Adjustment

Deputy Director Moon: and that black line that's running left to right between the two signs is the new property line after NC-DOT has taken the property. My understanding is they've already acquired the property. That sign is located within North Carolina, DOT, right of way. Thus, it has to be removed.

Gary Silverman: And is the desired location supposed to be on the property whose address is 6213, Rockfish Road.

Timothy Doersam: 6213 Rockfish, That's the property owner who had their property located within 110 feet of the new sign location. The address for 6213 is this house

Gary Silverman: right?

Timothy Doersam: This would be associated with 5984 Brookdale Street.

Donald Brooks: When DOT acquired this property, they knew the sign would stay around. Okay, so DOT made no basis to relocate the sign.

Timothy Doersam: I'm sure the applicant could provide some more context as to their discussions with DOT regarding the sign

Donald Brooks: Okay

Deputy Director Moon: chair, if there are no other questions for staff, you can open the public hearing.

Chair Turner: opened the public hearing to speakers. Mr. Turner swore in first speaker John Lover, second speaker Loretta Love, third speaker and Micheal Bassett.

John Lover: Mr. Lover was sworn in and gave his name and address. Spoke to the four criteria for both variance in question.

Chair Turner: As was curious if you're going to just move that sign or get a new Sign?

John Lover: No, we're going to put a new sign.

Deputy Director Moon: that would be the applicant's choice. If I could interject, they Board is considering a minimum standard if they want to move it further away from that house. They that that's their choice. They choose to move further away from the front property line. They can do that as well, but there are. you're establishing the minimum setback standards for the sign.

Chair Turner: You can always move it farther back than what we approve.

Deputy Director Moon: Correct.

Chair Turner: You just can't move it closer into the road.

John Lover: We don't want to go too far back, because you won't ever see it from the street.

Chair Turner: Yeah, and ultimately, it there's going to be electrical run and all that kind of stuff you must do.

John Lover: we just wanted to move it back to get it in compliance and just move it over some I don't know how far way from the right of way you would want it, but that's what we're doing. Just kind of get it over it puts it further away from her and gives a little bit more visibility coming down Rockfish Road.

Chair Turner: Swore in Lorretta Lover.

Loretta Lover: Ms. Lover swore in and gave her name, address/spoke to the four-criteria for both variances being requested. Ms. Lover reiterated the fact that the church wants the sign to be visible.

Chair Tuner: Swore in Michael Bassett.

Michael Bassett: Mr. Bassett swore in and gave his name address and spoke to the sign dimensions.

Gary Silverman: presented a question concerning section 1309 B6 sign standard by sign type. The separation from a dwelling is a minimum of 150 linear feet. Correct, under 1309. B6?

Deputy Director Moon: yes, correct.

Gary Silverman: the packet here says applicant has been in contact with the property owner who has provided notarized letter attached stating that the message board would not create a nuisance or any problem near their residence, but the notarized letter from the abutting residents doesn't address that at all. It only says it does not bother me if it is illuminated at night the abutting resident does not address at all the issue of the proximity of the sign to the house, it just says it doesn't bother me if it's illuminating. I'm talking about a discrepancy which can void the entire issue here. The applicant claims that the abutting resident



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claims that there's no end, no adverse effect on the size of the house, the proximity of the house, and offers a notarized statement. However, the abutting residence notarized statement doesn't address that issue at all. It simply says it doesn't bother me if the sign is illuminated. So that could be the sign, you know, 110 feet or two miles away.

Chair Tuner: I see your point.

Marva Lucas-Moore: I see your point. But I feel like, if she had a problem, she would have notated in a notarized state. I only think that.

Gary Silverman: we cannot make that assumption; we can only go on what's in the documentation we can make. We have no we have no knowledge to make an assumption as to what the abutting resident means or does not mean. We, since the statement is notarized. We can only go on what's in that statement.

Donald Brooks. But those residents also had the options to be here.

Deputy Director Moon: correct, all abutting property owners were notified with the mail out hearing notice. It was also notified through the Fayetteville observer with a legal ad.

Gary Silverman: The main issue is the applicant claims to present a statement that says one thing, but the actual notarized statement says something completely different or doesn't address at all what the applicant is referring to.

Chair Tuner: any other comments

Loretta Lover: When we originally talked about this, we were told that it was the problem that we could move the sign. That was not the problem. The sign could not be illuminated because it was too close with her house. So therefore, I want to wait to talk to her. She did not have a problem about the sun at all, but especially the fact that it lit up at night. The sign comes on at five o'clock and we have it shut down at 11 p.m.

Chair Turner There were no more speakers and chair closed the public hearing and opened to board discussion

Chair Turner: Motion to approve approval for the request for the variance of section 1306.C, and notes that the variance request only applies to the sign location of being within that for being within a right of way, within 150 linear feet of dwelling, as illustrated on the variance site plan presented in Exhibit B. The other minimum standards for electronic message board are not affected by the variance request, nor any other standards for signs and county zoning ordinance, the best actions are below: The motion to approve to allow a proposed electronic message board to be installed within the right of way of Brookdale Street, class C, private Street. The variance request complies with each of the four criteria because location will be at least two feet from the property boundary, 11 feet from the Brookdale Street travel lane, the variance only applies to the electronic message sign and no other structures. The electronic reader board must be installed in the height and size consistent with the county sign ordinance. Any proposed replacement, removal, or relocation of the sign must be approved by the Board of adjustment for a variance application. The two variances shall expire within one year from Board of adjustments approval date unless the property owner obtains a sign permit for the electronic message sign board within one year from the date of the variance approval. Additionally, I can see an unnecessary hardship resulting from not being allowed to do that, and it's particular to the property because of what the DOT is doing to y'all. Additionally, it's nothing that y'all done. It's not the resulting from something that the church itself has done. And fourth is it's consistent with the spirit of the purpose of the variance.

Marava Lucas-Moore Seconds the motions. All in Favors

Members Vote

In Favor



Board of Adjustment

Kenneth Turner, Chair YES

Marva Lucas-Moore-Vice Chair YES

Gary Silverman YES

Donald Brooks YES

Vernoica Mitchell-Rozerr YES

Chair Turner: Now we are on the second variance, 1309.B. anybody care to make a motion?

Gary Silverman: We have the exhibit k here, it shows applicants, justification, response and answers. I assume that's for the first variance. But do we have, I don't see in the packet, correct me if I'm wrong, the applicant's answers to the four questions for the second variance.

Chari Tuner: was that see attached

Mr. Doersam: responses provided were more general, responses applied to both, that would be applicant's responses

Gary Silverman: we're saying Exhibit K applies to both?

Mr. Doersam: Yes.

Gary Silverman: I just want to call the board's attention to that the applicant's responses in Exhibit K with the attachment are intended to refer both variances, Then the applicant's answers do not address at all, the requirement for the setback, at all, for the illuminated sign. There are several discrepancies in the applicants' documents. the applicant's answers do not address the issue at all of the 150 linear foot linear setback and the discrepancy in the statement offered up from the abutting residents about a budding resident.

Chair Turner: Would anybody like to make that motion.

Gary Silverman: I have one more point, but maybe the attorney can address that if we're to construe that the applicant's answers to questions in Exhibit K also apply to the second variance, the setback of the sign we would be making an unfounded assumption wouldn't.

Robert Hasty: the board must find the core criteria, either through the applicant's responses, or through any other evidence that was offered at this hearing, right? Because everything that was said is evident. So, if you believe that the criteria are met from anything else that's been said at this hearing, that can be part of a vote to go through, or if you don't think it has been satisfied

Deputy Director Moon: other information has been presented to you this evening. For example, the picture showing the location of the existing and the proposed line and the closest dwelling to the property, so the church presented its response to the four criteria. Other evidence has been sent into the board. The sign, proposed, sign, electronic message board sign will be approximately 110 feet from the house. The existing sign has been there for many years, is approximately the same distance.

Gary Silverman: and that the house at 613 rockfish road, that sign has been there for?

Loretta Lover: 18 years

Gary Silverman: but is that 18-year duration addressed anywhere in the documents here? I didn't see that anywhere.

John Lover: The permit that we initially got for the church and the sign.

Chair Turner: you need to come up to the podium with the public comment is close. We're we've got Mr. Silverman, who's, who's got questions, right? I have, without looking at the letter specifically, I've gathered enough information from the other evidence that's been presented to o kind of overlook that it may not specifically mention the two items that you that you mentioned, what other questions do you have

Gary Silverman: no, the questions already been answered. It's not in the document. It's not in any of the documents from the applicant. Okay, questions been answered.



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Robert Hasty: Chair could reopen the hearing if you want to, but I believe also oral testimony as well.

Chair Turner: I agree. Do you want to say anything else after hearing? I think we're probably in a position to figure this out. Would anybody like to make a motion?

Marva Lucas Moore: Motioned for approval for Section 1309 B.6 variance requests electronic reader board less than 150 feet from a residential home. The motion to approve the variance is to allow proposed electronic message board signed to be installed within 150 linear feet of a dwelling, as shown in the variance site plan. And found that the variance request comprises each of the four criteria, because of the location. Any proposed replacement, removal or location of the sign must be approved by the Board of adjustment through a variance application. This variance approval shall expire within one year, from the BOA approved date, unless the property owner obtains the sign permit or electronic message board sign within one year

Chair Turner: Second the motion: All in Favor (4) Opposed (1)

Members Vote	In Favor	Opposed
Kenneth Turner, Chair	YES	
Marva Lucas-Moore-Vice Chair	YES	
Gary Silverman		NO
Donald Brooks	YES	
Vernoica Mitchell-Rozerr	YES	

The motion passes.

11. OTHER BUSINESS: BOA Alternate Member Recommendations

Chair Tuner opened discussion to consider recommendations for vacant Alternate BOA seats and submit such recommendations to Board of County Commissioners. No recommendation was made.

12. DISCUSSION/UPDATES(S): NONE

13. ADJOURNMENT

Marva Lucas-Moore motioned to adjourn, and Donald Books seconded the motion. All in Favor.

Chair Turner: Adjourned at 7:13 pm



PLANNING & INSPECTIONS

PLANNING STAFF REPORT
APPEAL CASE # BOA-2025-0014
Board of Adjustment Meeting:
November 20, 2025
Jurisdiction: County-Unincorporated
Location: Along Hulon St

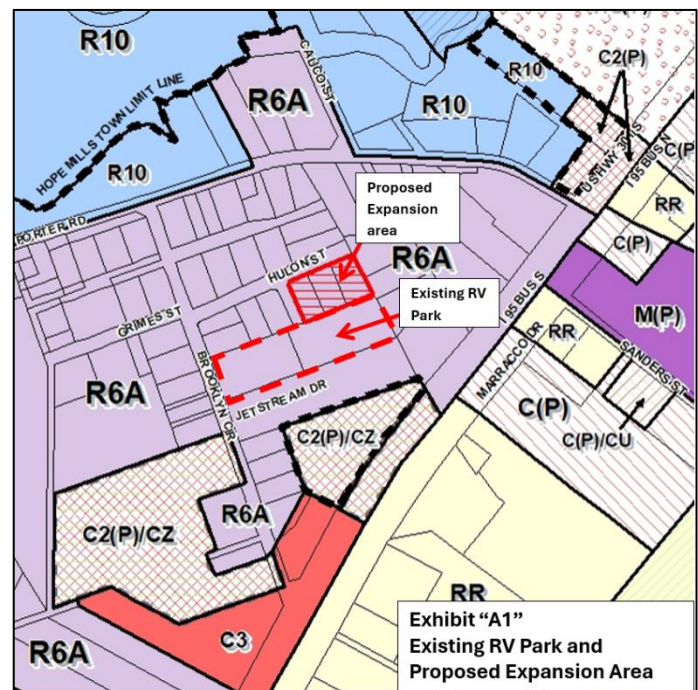
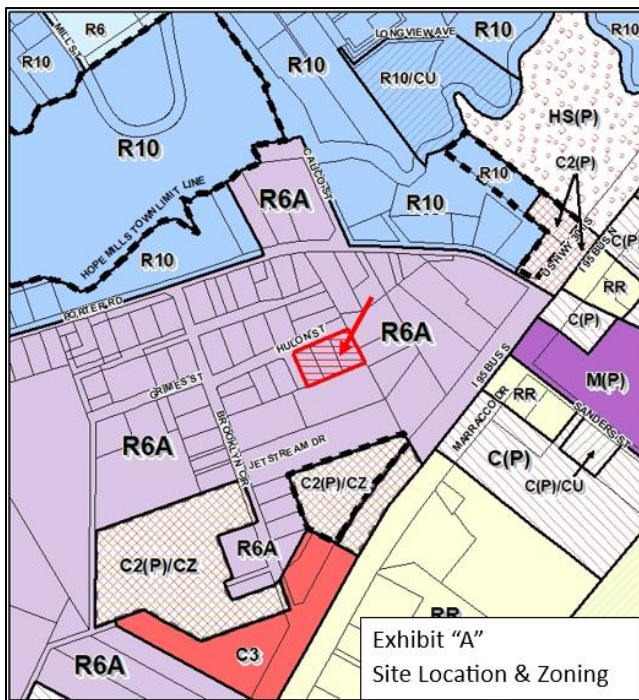
SUMMARY OF THE REQUEST

Section 1003.C. BOA Ruling to Expand a Nonconforming Uses

Mr. Guillermo Romo is the property owner of the three properties located at the dead end of Hulon Street (Exhibit "A"). These properties directly abut an existing RV park property to the south that Mr. Romo owns and operates. The owner desires to expand the RV park operations onto the three parcels along the southeast side of Hulon Street. Exhibit "A1" illustrates the location of the existing RV Park and the three lots where expansion is proposed. The parcels containing both the "Existing RV Park" and the "Proposed Expansion Area" are located in the R6A Zoning District, which is not a permitted area under the County Zoning Ordinance for RV Park Uses.

Exhibits

- A. Site Location/Zoning
 - B. Nonconforming Use Site Plan (attached)
 - C1. Current Site Conditions
 - C2. Existing and Surrounding Uses (attached)
 - D. Section 1003. Nonconforming Uses (attached)
 - E. Future Land Use Map
- Attachment: Notification List; Application;
Amended Affidavit of Guillermo Romo For Legal
Non-Conforming Use Determination



Pursuant to Section 1003.C., Continuance of Nonconforming Uses (Exhibit "D"), the BOA must review and approve any expansion of an existing nonconforming use onto abutting property. The existing RV Park has access from Brooklyn Circle.

In 2024 Mr. Romo submitted a legal opinion from an attorney purporting that the existing RV Park parcel shown in Exhibit "A1" is a legal nonconforming use. After review of this legal opinion by the County Code Enforcement Division and the County Attorney's office, a confirmation was made that the RV Park use located in the "Existing RV Park" property is a legal nonconforming use. However, the three parcels on

which Mr. Romo desires to expand his RV Park were not included in that determination made in 2024. Therefore, Mr. Romo is requesting the BOA to approve an expansion of the RV Park onto adjacent parcels labeled "Expansion Area" on Exhibit "A1".

If the expansion of the RV Park is approved by the BOA, a site plan must be submitted to and approved by the Current Planning Division to demonstrate compliance with Section 921, RV Parks/Campgrounds, of the Zoning Ordinance.

PROPERTY INFORMATION

OWNER/APPLICANT: Guillermo Zermeno Romo (Owner); Thomas Lloyd (Agent/Applicant)

ADDRESS/LOCATION: Along Hulon St at the dead end; REID#s: 0423296940000, 0423297934000, and 0423298938000

SIZE: 1.46 +/- total acreage.

ROAD FRONTAGE: Direct road frontage along Hulon St is 314 +/- linear feet.

DEPTH: The depth of the subject property is 191 +/- feet at its deepest point.

EXISTING LAND USE: The subject currently undeveloped land. The current site layout and use appears in Exhibits "C1" (Current Site Conditions) and "C2" (existing use and surrounding uses, attached.)



SURROUNDING LAND USE: Uses in the surrounding area and adjacent properties are predominantly single-family residential homes and wooded lands. Adjacent to the south is Mr. Romo's two parcels that were ruled as a legal nonconforming RV Park. Surrounding uses are shown on Exhibit "C2", attached.

North: Single-family homes, and wooded lands.

East: Single-family homes, and wooded lands

West: Single-family homes.

South: Mr. Romo's existing RV Park, HHC Hope Mills LLC Manufactured Home Park, and US HWY 301.

SPECIAL DISTRICTS: The subject property is not located within any special districts.

OTHER SITE CHARACTERISTICS: The subject property is located within the Cape Fear River Watershed Protection Aea. The subject property is not located within a flood zone.

MINIMUM YARD SETBACKS: The minimum setback standards in the R6A zoning district dimensional provisions are as follows:

- Front: 25 feet
- Side: 10 feet
- Rear: 15 feet

EXISTING CODE VIOLATIONS: Per the Code Enforcement Division, there are no current/existing code violations on the subject property.

FIRE MARSHAL: No objections were received by the Fire Marshal's office.

COMPREHENSIVE PLAN

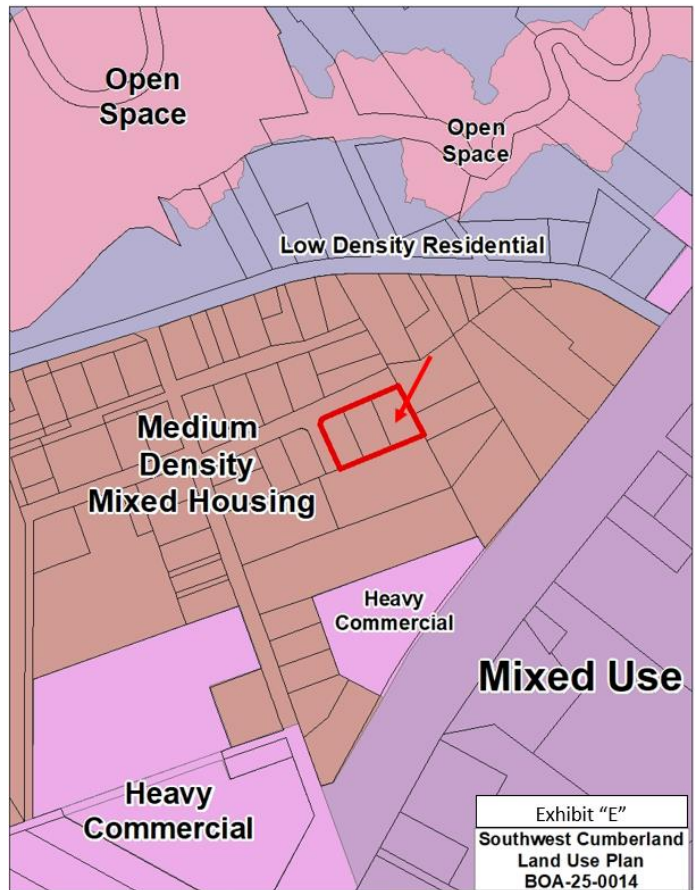
This property is located in the Southwest Cumberland Land Use Plan (2013), as shown in Exhibit "E". The future land use classification of the property is Medium Density Mixed Housing. The associated zoning districts for Medium Density Mixed Housing is R6A.

As proposed, the appeal request does not appear to create any inconsistency with policies of the North Central Area Land Use Plan.

IMPACTS ON LOCAL INFRASTRUCTURE

TRANSPORTATION: The subject property sits on Hulon Street and is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. As proposed, the appeal request does not impact any traffic nor create any inconsistency with future transportation plans along Hulon Street.

UTILITIES: Public water and sewer lines do not appear readily available near the subject property. The closest water line is located at the northern end of Brooklyn Circle belonging to Fayetteville Public Works Commission. Well and septic systems would need to be permitted to serve the expansion of the RV park operations.



FINDINGS:

1. Per the request letter, Mr. Romo had purchased the three subject properties at the same time as the two parcels containing the RV park that was deemed a legal nonconforming use in 2024.
2. The current legal nonconforming RV park is stated to have 67 spaces according to the applicant's request letter, but a to-scale site plan demonstrating the spaces and their layout has not been provided to the Current Planning Division yet.
3. The appeal comes from the property owner and his agent's desire to expand the amount of RV park spaces to serve a higher demand for temporary residential spaces due to the proximity to Ft. Bragg, Fayetteville, and US Highway 301/I-95 Business. The applicant states that having the additional RV spaces will cater to transient housing due to the costs of other nearby living accommodations such as hotels, motels, and manufactured housing.
4. The legal nonconforming RV park for the two larger parcels would still be allowed to continue forward if the appeal to expand is not ruled in favor of the property owner and applicant.
5. The surrounding area contains a mixture of manufactured housing and wooded lands with the nearby Brooklyn Circle roadway having a direct connection from and onto US Highway 301.
6. The property owner and his agent have stated to Current Planning that water taps exist on the three subject properties that have served RV spaces in the past, but no current records or photographs indicate that the three subject properties have been used for an RV park operation.
7. The appeal, if ruled in favor of the property owner and applicant, shall only be for up to ten total additional RV spaces across the three subject properties. The property owner would still need to provide a to-scale site plan demonstrating the number of RV spaces on the two larger parcels

previously deemed to be legal nonconforming as well as demonstrating the locations of the RV spaces on the three subject properties.

APPLICABLE CODES

Section 1003. Nonconforming Uses Subsection C. Continuance of Nonconforming Uses (Exhibit "D") attached.

SECTION 1003 SUBSECTION C. CONTINUANCE OF NONCONFORMING USES CRITERIA

Per Section 1003 Subsection C within the Cumberland County Zoning Ordinance, no nonconforming uses may be changed, expanded, or resumed to any other nonconforming use unless the Board of Adjustment finds that such use is no more detrimental to the neighborhood than the initial nonconforming use of the property in question.

MOTION

The BOA is requested to make a ruling based on the criteria from Section 1003.C Continuance of Nonconforming Uses of the Cumberland County Zoning Ordinance. Its decision is final. The below actions are suggested by Planning staff if the BOA chooses to approve or to deny after review of the evidence and testimony presented at the hearing:

If the BOA selects to approve the appeal:

"Motion to approve the request to allow an expansion of a legal nonconforming use onto the three parcels abutting Hulon Street as depicted in the Appeal Site Plan and find that the expansion is no more detrimental to the surrounding neighborhood than the initial nonconforming use."

This appeal approval only applies to the expansion of the existing legal nonconforming RV park use onto the three parcels. Any further expansion of the legal nonconforming use must be approved by the Board of Adjustment through another appeal.

If the BOA selects to deny the appeal:

"Motion to deny the request to expand a legal nonconforming use onto the three parcels abutting Hulon Street. The evidence and testimony provided by the applicant has not sufficiently demonstrated that the expansion is no more detrimental to the neighborhood than the initial nonconforming use of the property."

CCGIS - TAX MAP PING, CCGIS \ ESRI Charlotte, CCGIS
4730

EXHIBIT "C2"
EXISTING AND SURROUNDING USES



Exhibit "C2"
Existing & Surrounding Uses

EXHIBIT "D"
Section 1003. Nonconforming Uses

SECTION 1003. NONCONFORMING USES

C. Continuance of Nonconforming Uses. No nonconforming use may be changed, expanded or resumed to any other nonconforming use, unless the Board of Adjustment finds that such use is no more detrimental to the neighborhood than the initial nonconforming use of the property in question. No change of title or possession or right to possession of property with a nonconforming use shall be construed to prevent the continuance of such nonconforming use.

ATTACHMENT: NOTIFICATION LIST

MARTIN, DANIEL GREGORY
6309 HUNTINGRIDGE RD
CHAPEL HILL, NC 27517

ROMO, GUILLERMO ZERMENO
393 BROOKLYN CIR
HOPE MILLS, NC 28348

MARTIN, DANIEL GREGORY
6309 HUNTINGRIDGE RD
CHAPEL HILL, NC 27517

LOCKLEAR, DONNA LYNN JACOBS
9226 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

BARNHILL, TONY SHANE;BARNHILL, CANDICE RAE
241 HULON ST
HOPE MILLS, NC 28348

EAGLETREE HOLDINGS LLC
63 VIA PICO PLAZA #544
SAN CLEMENTE, CA 92672

HALL, ROBIN CULBRETH
5690 ELWOOD DR
FAYETTEVILLE, NC 28306

MILLER, TERRY
573 PORTER RD
HOPE MILLS, NC 28348

ATTACHMENT: APPLICANT REQUEST LETTER

October 23, 2025

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

Please accept this letter as an application for a variance to have the Cumberland County Board of Adjustment rule on the expansion of a Legal Non-conforming Use for a legal non-conforming R.V. Park as shown in the accompanying exhibit with PIN 0423-29-4621000, and 0423-29.7795. I am requesting the expansion to include parcels shown in yellow and having PINs of 0423-29-6940000, 0423-29-7934000, and 0423-29-8938000.

The existing RV Park, consisting of 67 spaces, has been deemed Legal Non-conforming, and the owner would like to expand on the land he purchased with it, with the intension of expanding it 10 more spaces as his business, mostly trades contractors, has become more sought after as Fayetteville, Cumberland County and Ft. Bragg grew. The RV's are to be used as temporary residences, to comply with all the standards listed in the Cumberland County Zoning Ordinance. The owner pays the one electric bill.

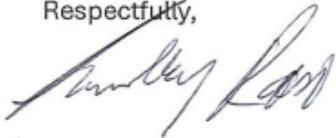
The demand for this service has become overwhelming with improvements along I-95 to Ft. Bragg. This park is convenient for both Ft. Bragg and Fayetteville extended families visiting mostly military and military families, as well as the military retirees residing in Hope Mills. With the exorbitant daily costs of hotels, as well as the increasing popularity of Recreational Vehicles, this park fills a void much needed by military families visiting loved ones stationed at Fort Bragg and Pope Air Force Base.

Existing zoning in the area is specific to allowing Manufactured Homes, and Manufactured Home Parks. Thus, it fits in with surrounding property values as well as lower to moderate income land usage. The park is also less than 200 feet from Heavy Commercial and approximately 250 feet from US Highway 301/Business 95, which affords its efficient time distance to Ft. Bragg and Pope Airforce Base.

The hardships involved on the owner as follows:

1. Purchasing the parcels from the same owner after being in existence for several years.
2. Many of the owner's loyal clients who have been waiting patiently to annually use spaces are now not using his park area as they were assured there would be more room in the future.
3. It would be cost prohibitive at this point to put in more mobile home spaces due to the need for separate wells and new septic systems, plus he has had problems collecting rent payments in the past on monthly or longer rentals.
4. Not one dwelling adjacent to the property has a tax value over \$25,000. The argument for bringing down tax values would be questionable at best, as most of the area is zoned for single wide manufactured homes.
5. Most of the current zoning across US 301 is RR, which allows for RV Parks.
6. Almost all of the residential zoning south of Brooklyn Circle specifically allows for Manufactured Homes, or RV Parks, which cater to transient housing or lower income housing in the form of single wide manufactured homes.

Respectfully,

A handwritten signature in black ink, appearing to read 'Guillermo Romo', written in a cursive style.

Guillermo Romo



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): GUILLERMO ROMO
MAILING ADDRESS: 393 BROOKLYN CIR HOPEMILLS NC 28348
Officer's name and title: THOMAS LLOYD

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested): VARIANCE
3. That the undersigned has (have) appointed and does (do) appoint Tom Lloyd as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as rep[resenting my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

Guillermo Romo
Owner's Signature

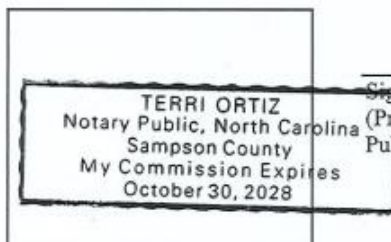
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 24 day of October (month), 2025 (year), by Tom Lloyd (name of person acknowledging) who is personally known to me or who has produced ✓ (type of identification) as identification.



Terri Ortiz
Signature of Notary Public - State of North Carolina
(Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature)

**ATTACHMENT: AMENDED AFFIDAVIT OF GUILLERMO ROMO FOR
LEGAL NON-CONFORMING USE DETERMINATION**

NORTH CAROLINA
CUMBERLAND COUNTY

CUMBERLAND COUNTY
JOINT PLANNING BOARD
CASE # ZE-24-0210
CASE # ZON-24-0023

IN THE MATTER OF
CASE # ZE-24-0210: NOTICE OF
VIOLATION AND CASE # ZON-24-
0023: REZONING FROM R6A
RESIDENTIAL DISTRICT TO RR
RURAL RESIDENTIAL DISTRICT.

**AMENDED AFFIDAVIT
OF GUILLERMO ROMO**

I, Guillermo Romo, hereby affirm under the penalty of perjury, say:

1. I am of the age of majority, competent to testify, and have personal knowledge of the facts set forth herein.
2. I am a resident of Hope Mills, North Carolina, and am the owner of 393 Brooklyn Circle, Hope Mills, North Carolina, 28348 ("Subject Property").
3. I have lived at the Subject Property for 26 years.
4. In 2016, I prepared the Subject Property, with the assistance of Luis Castillo, for spaces to park RVs and Campers.
5. I have been allowing RV and Camper parking on the Subject Property since at least January, 2017.
6. I have continuously had RVs and Campers parked on the Subject Property since at least January, 2017.
7. On August 12, 2017, I took a photo with my cellphone, showing the date, time and location, of a Camper at the Subject Property. A true and accurate copy of the photo is attached hereto as **Exhibit A**. I have also attached a Google image taken from Brooklyn Circle in June 2018, that accurately show my property.
8. On September 29, 2017, I took a photo with my cellphone, showing the date, time and location, of the Subject Property and a Camper can be seen in the background. A true and accurate copy of the photo is attached hereto as **Exhibit B**.
9. The RVs and Campers parked on the Subject Property are not hidden and can be seen from a public right-of-way – Brooklynn Circle. Attached hereto and incorporated by reference marked **Exhibit C**, are images from Brooklyn Circle showing my property.

Hutchens
Law Firm

P. O. Box 2505
Fayetteville, North
Carolina 28302
(910) 864-6888

10. During more than seven (7) years RVs and Campers have been parking on the Subject Property. I have had no complaints from neighbors or anyone else regarding the RVs and Campers. I have had many people return over the years to park their RVs and Campers on my property. All of the people who use my property are sent by referrals, including from Camper World.

11. Prior to receiving the alleged Violation Notice from the Cumberland County Joint Planning Board dated April 22, 2024, no one had ever informed me that my use of the Subject Property for RV and Camper parking was not allowed.

12. I hereby certify that the above information is true.

Further, Affiant sayeth not.

This the 15th day of October, 2024.

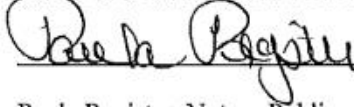

Guillermo Romero

Hutchens
Law Firm

P. O. Box 2505
Fayetteville, North
Carolina 28302

(910) 864-6888

Sworn to and subscribed before me this the 15th day of October, 2024.



Paula Register, Notary Public

My Commission Expires: June 2, 2026





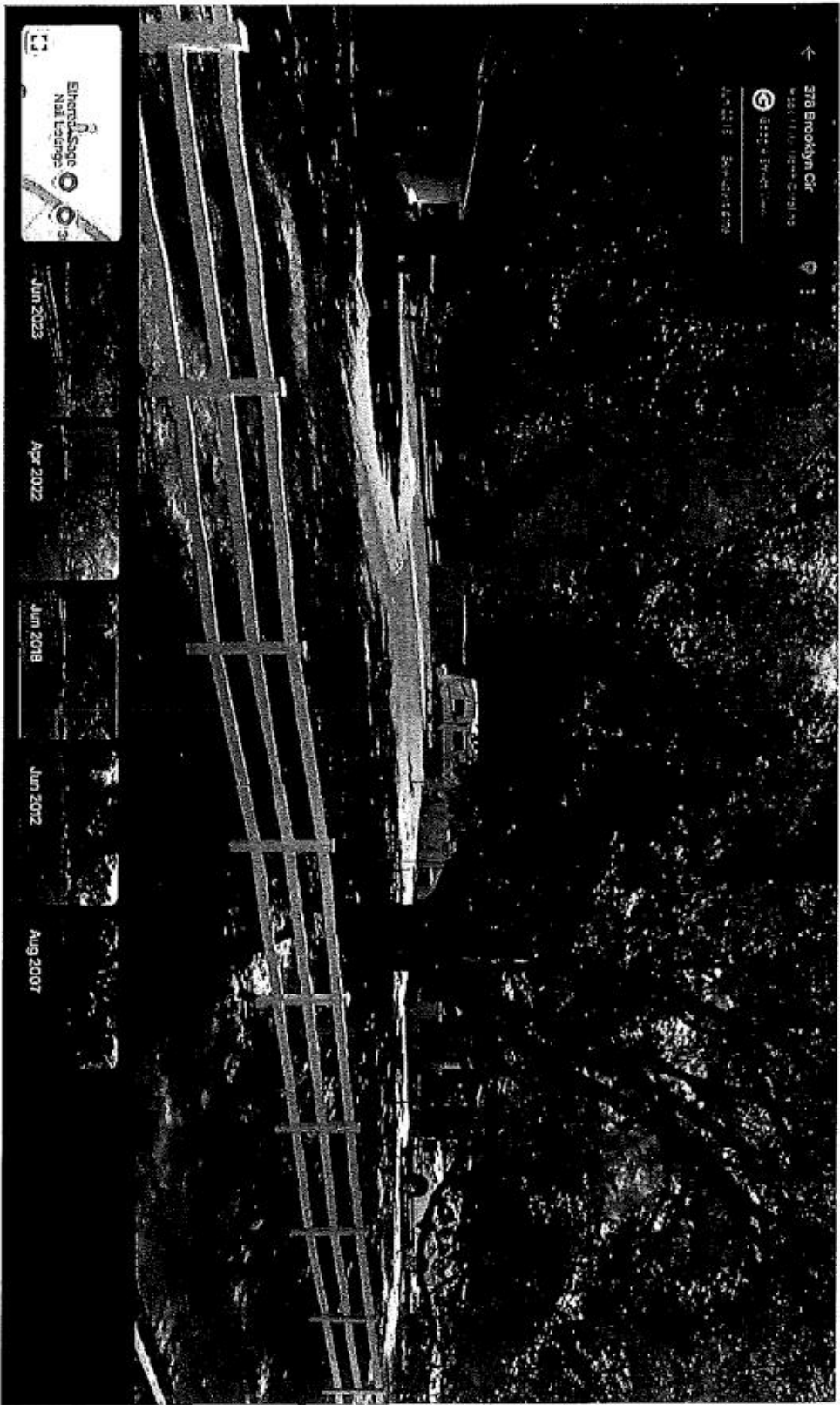
Hope Mills
August 12, 2017 2:13 PM

Edit



EXHIBIT

A



378 Brooklyn Cir
W 22nd St, New York, NY 10011

378 Brooklyn Cir
W 22nd St, New York, NY 10011

378 Brooklyn Cir
W 22nd St, New York, NY 10011



Jun 2023

Apr 2022

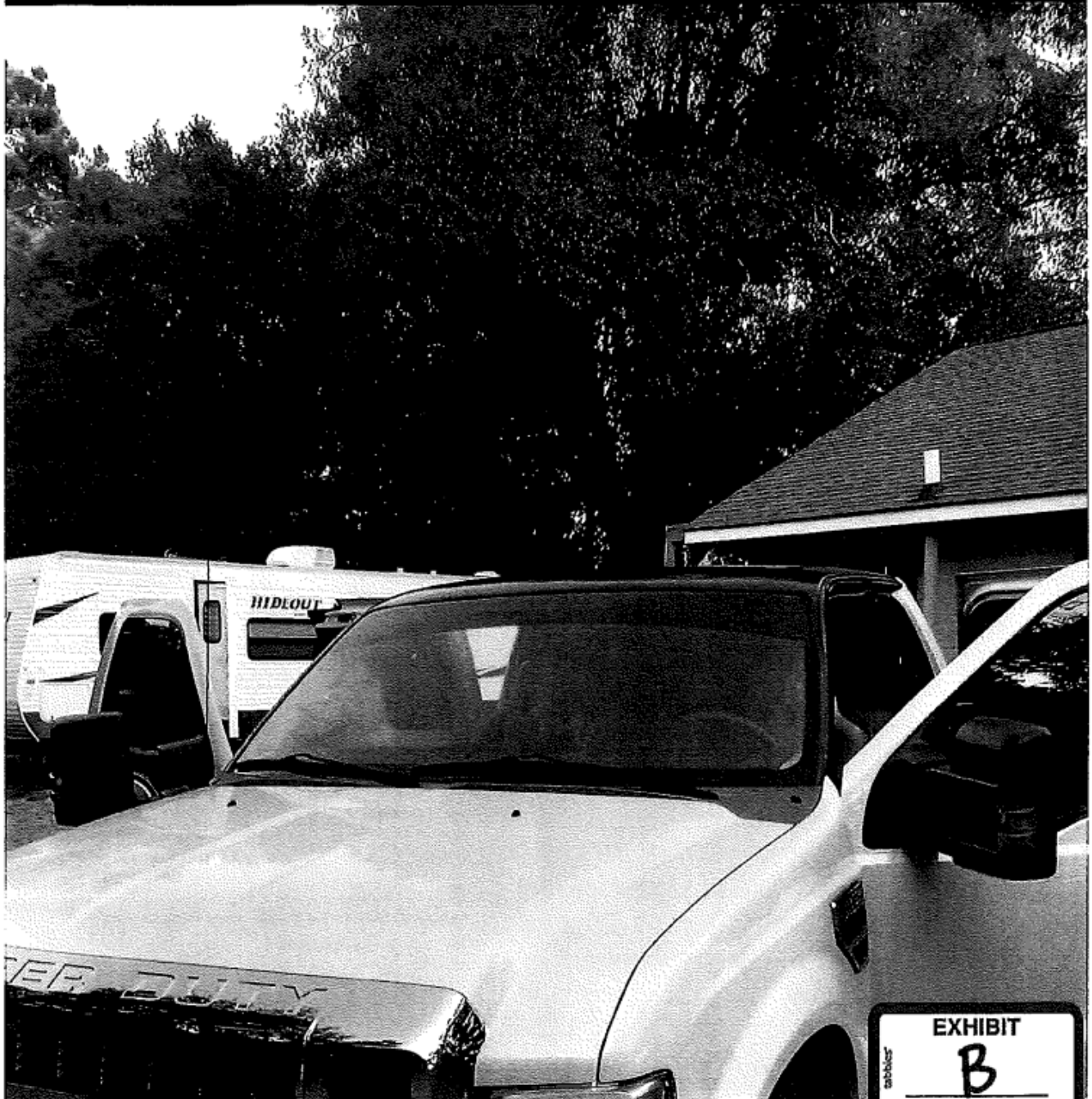
Jun 2019

Jun 2017

Aug 2007

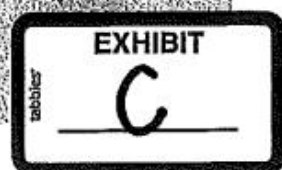
Hope Mills
September 29, 2017 6:21PM

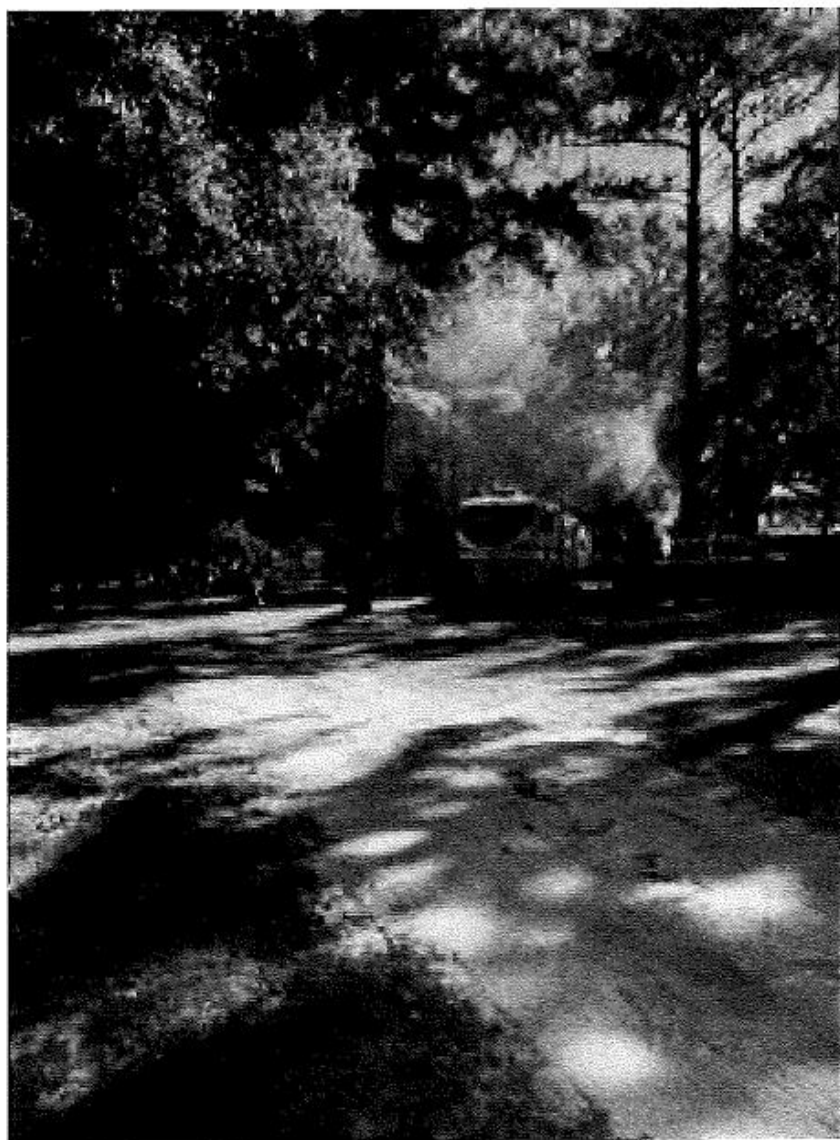
Edit



EXHIBIT

B











2026

DEADLINE / MEETING SCHEDULE

APPLICATION DEADLINES	MEETING DATES (3rd Thursday)
Friday, December 05, 2025	January 15, 2026
Tuesday, January 13	February 19, 2026
Tuesday, February 10	March 19, 2026
Tuesday, March 10	April 16, 2026
Friday, April 10	May 14, 2026
Tuesday, May 12	June 18, 2026
Tuesday, June 09	July 16, 2026
Tuesday, July 14	August 20, 2026
Tuesday, August 11	September 17, 2026
Friday, September 11	October 15, 2026
Tuesday, October 13	November 19, 2026
Tuesday, November 11	December 17, 2026
Friday, December 04	January 14, 2027

Note: Generally, the deadlines are set to 24 working days ahead of the meeting. Scheduling may be adjusted by the County to accommodate holiday closures and to ensure ample case review times by staff and the applicant.